

VENABLE^{LLP}

Two Hopkins Plaza, Suite 1800
Baltimore, Maryland 21201-2978

Telephone 410-244-7400
Facsimile 410-244-7742

www.venable.com

G. Stewart Webb, Jr.

410-244-7565

gswebb@venable.com

January 21, 2005

The Honorable J. Frederick Motz
United States District Court
for the District of Maryland
101 West Lombard Street, Rm. 510
Baltimore, MD 21201

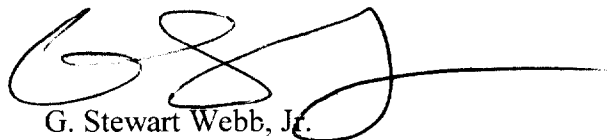
**Re: *Burst.com, Inc. v. Microsoft Corp.*
*Civil Action No. JFM-02-cv-2952***

Dear Judge Motz:

I write to confirm my conversations with Chambers regarding the date for a hearing on Burst.com, Inc.'s Motion for Spoliation Instruction, Witness Preclusion, and Related Relief. The hearing on that motion is now scheduled for March 10, 2005, at 10 a.m.

Thank you for your consideration of this matter.

Very truly yours,

A handwritten signature in black ink, appearing to be "G. Stewart Webb, Jr.", with a long horizontal line extending to the right.

G. Stewart Webb, Jr.

GSW/kds
BA2/260337

cc: Robert J. Yorio, Esq.
Spencer Hosie, Esq.
John Treece, Esq.
David B. Tulchin, Esq.
Randolph S. Sargent, Esq.